

106TH CONGRESS  
1ST SESSION

# H. R. 912

To provide for the medical use of marijuana.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 1999

Mr. FRANK of Massachusetts (for himself, Mr. CAMPBELL, Mr. CONYERS, Mr. OLVER, Ms. PELOSI, Mr. STARK, and Ms. WOOLSEY) introduced the following bill; which was referred to the Committee on Commerce

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## A BILL

To provide for the medical use of marijuana.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Medical Use of Mari-  
5       juana Act”.

6       **SEC. 2. CONTROLLED SUBSTANCES ACT.**

7       (a) SCHEDULE.—Marijuana is moved from schedule  
8       I of the Controlled Substances Act to schedule II of such  
9       Act.

10       (b) PRESCRIPTION OR RECOMMENDATION.—

1           (1) IN GENERAL.—No provision of the Con-  
2       trolled Substances Act shall prohibit or otherwise  
3       restrict—

4           (A) the prescription or recommendation of  
5       marijuana by a physician for medical use,

6           (B) an individual from obtaining and using  
7       marijuana from a prescription or recommenda-  
8       tion of marijuana by a physician for medical  
9       use by such individual, or

10          (C) a pharmacy from obtaining and hold-  
11       ing marijuana for the prescription or rec-  
12       ommendation of marijuana by a physician for  
13       medical use under applicable State law  
14       in a State in which marijuana may be prescribed or  
15       recommended by a physician for medical use under  
16       applicable State law.

17          (2) PRODUCTION.—No provision of the Con-  
18       trolled Substances Act shall prohibit or otherwise re-  
19       strict an entity established by a State, in which  
20       marijuana may be prescribed or recommended by a  
21       physician for medical use, for the purpose of produc-  
22       ing marijuana for prescription or recommendation  
23       by a physician for medical use from producing and  
24       distributing marijuana for such purpose.

1 **SEC. 3. FEDERAL FOOD, DRUG, AND COSMETIC ACT.**

2 (a) IN GENERAL.—No provision of the Federal Food,  
3 Drug, and Cosmetic Act shall prohibit or otherwise  
4 restrict—

5 (1) the prescription or recommendation of mari-  
6 juana by a physician for medical use,

7 (2) an individual from obtaining and using  
8 marijuana from a prescription or recommendation of  
9 marijuana by a physician for medical use by such in-  
10 dividual, or

11 (3) a pharmacy from obtaining and holding  
12 marijuana for the prescription or recommendation of  
13 marijuana by a physician for medical use,  
14 in a State in which marijuana may be prescribed or rec-  
15 ommended by a physician for medical use under applicable  
16 State law.

17 (b) PRODUCTION.—No provision of the Federal  
18 Food, Drug, and Cosmetic Act shall prohibit or otherwise  
19 restrict an entity established by a State, in which mari-  
20 juana may be prescribed or recommended by a physician  
21 for medical use, for the purpose of producing marijuana  
22 for prescription or recommendation by a physician for  
23 medical use from producing and distributing marijuana  
24 for such purpose.

1 **SEC. 4. RESEARCH.**

2       The National Institute of Drug Abuse shall make  
3 marijuana available for the purposes of an investigational  
4 new drug study under section 505(i) of the Federal Food,  
5 Drug, and Cosmetic Act.

6 **SEC. 5. RELATION OF ACT TO CERTAIN PROHIBITIONS RE-**  
7 **LATING TO SMOKING.**

8       This Act does not affect any Federal, State, or local  
9 law regulating or prohibiting smoking in public.

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